United Nations S/AC.50/2008/16

Security Council

Distr.: General
13 May 2008
English
Original: Russian

Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 1 May 2008 from the Permanent Mission of Belarus to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Belarus to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 1737 (2006) and has the honour to transmit a report on measures taken by the Republic of Belarus to implement resolution 1803 (2008) (see annex).

08-34361 (E) 100608 160608

Annex to the note verbale dated 1 May 2008 from the Permanent Mission of Belarus to the United Nations addressed to the Chairman of the Committee

In accordance with paragraph 13 of Security Council resolution 1803 (2008), please be informed that the competent national authorities of the Republic of Belarus have taken the necessary steps with a view to implementing paragraphs 3, 5, 7, 8, 9, 10, 11 and 12 of resolution 1803 (2008).

The competent national authorities are monitoring the persons and entities mentioned in the resolution, so that the steps envisaged in paragraphs 3, 4, 5, 6 and 7 of the resolution are being taken in the Republic of Belarus with regard to such persons and organizations.

The lists of items, materials, equipment, goods and technology contained in documents S/2006/814 and S/2006/815 have been incorporated in Belarusian legislation on the subject of export controls. The government authorities of the Republic of Belarus have taken the necessary measures to prevent the supply, sale or transfer to Iran of such items, materials, equipment, goods and technology, as required by paragraph 8 of resolution 1803 (2008).

Financial institutions are advised to exercise vigilance and to be guided in their work by the provisions of paragraphs 9 and 10 of the resolution, concerning monitoring of the granting of subsidies, financial assistance and preferential credits to persons or organizations involved in activities permitting the production and proliferation of nuclear weapons.

No cases have been detected of financial transactions with persons and entities in Iran whose financial assets have been frozen.

The government authorities of the Republic of Belarus have been advised to be guided by the provisions of the resolution in relations with financial institutions and banks in Iran, in order to prevent the granting of assistance in the implementation of Iranian nuclear programmes of a military character and the development of delivery systems of weapons of mass destruction.

In accordance with paragraph 11 of the resolution, the Customs Committee of the Republic of Belarus has been instructed to inspect cargoes to and from Iran of aircraft and vessels of Iranian shipping companies or in transit through the territory of the Republic of Belarus.

United Nations S/AC.50/2008/17

Security Council

Distr.: General
13 May 2008

Original: English

Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 30 April 2008 from the Permanent Mission of Jordan to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Hashemite Kingdom of Jordan to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006), and, in reference to the latter's note dated 27 March 2008, has the honour to submit herewith the Hashemite Kingdom of Jordan's report on the implementation of resolution 1803 (2008) (see annex).

08-34072 (E) 280508 260608

Annex to the note verbale dated 30 April 2008 from the Permanent Mission of Jordan to the United Nations addressed to the Chairman of the Committee

[Original: Arabic]

Steps taken by the Government of the Hashemite Kingdom of Jordan with regard to the implementation of Security Council resolution 1803 (2008)

This report is supplementary to the information submitted by the Government of the Hashemite Kingdom of Jordan on the implementation of Security Council resolutions 1737 (2006) and 1747 (2007).

The following is a summary of the steps taken by the Government of the Hashemite Kingdom of Jordan to implement Security Council resolution 1803 (2008):

I. Inasmuch as Security Council resolution 1803 (2008) expands on the provisions of Security Council resolutions 1737 (2006) and 1747 (2007), the Jordanian Government has issued instructions to the competent Jordanian agencies and institutions to implement, in accordance with their respective mandates, the additional requirements set out in detail in paragraphs 3, 5, 7, 8, 9, 10 and 11 of resolution 1803 (2008).

II. The Jordanian Government has circulated the text of resolution 1803 (2008) to the relevant official institutions and agencies, together with an explanation of its requirements and the additions it makes to the two previous resolutions, with a view to ensuring the implementation of the obligations contained therein.

III. The competent Jordanian institutions and agencies monitor implementation of the requirements of the three resolutions 1737 (2006), 1747 (2007) and 1803 (2008), each within their spheres of competence, which include:

1. Monitoring of land, sea and air borders;

2. Financial monitoring, which includes, among other things, banks, the securities market, and real estate;

3. Monitoring of transport by land, sea and air, as well as inspection of cargo being shipped to and from the Islamic Republic of Iran in order to prevent the supply, sale or transfer to the Islamic Republic of Iran of all prohibited items, materials and technology in accordance with the resolution;

4. Education and training.

United Nations S/AC.50/2008/18

Security Council

Distr.: General
13 May 2008

Original: English

Security Council Committee established pursuant to resolution 1737 (2006)

Letter dated 2 May 2008 from the Permanent Representative of China to the United Nations addressed to the Chairman of the Committee

Pursuant to paragraph 13 of Security Council resolution 1803 (2008), the Permanent Mission of the People's Republic of China to the United Nations has the honour to submit the report on the steps that the People's Republic of China has taken with a view to implementing effectively paragraphs 3, 5, 7, 8, 9, 10 and 11 of resolution 1803 (2008) (see annex).

(*Signed*) **Wang** Guangya
Ambassador
Permanent Representative to the United Nations

08-34373 (E) 280508 040608

Annex to the letter dated 2 May 2008 from the Permanent Representative of the People's Republic of China to the United Nations addressed to the Chairman of the Committee

[Original: Chinese]

Report of China on the implementation of Security Council resolution 1803 (2008)

1. China supports the adoption by the Security Council of resolution 1803 (2008). It is hoped that the adoption of this resolution will contribute to the maintenance of the international nuclear non-proliferation regime, preserve overall international and regional peace and stability, and promote diplomatic efforts to resolve the Iran nuclear issue peacefully.

As a permanent member of the Security Council, China has always implemented the Council's resolutions in a responsible and conscientious manner, and has developed a package of effective operational mechanisms and practices in that regard. China strictly implements Security Council resolutions 1737 (2006) and 1747 (2007), and regularly submits its performance reports to the Security Council. Following the adoption of resolution 1803 (2008) by the Security Council, the Foreign Ministry of China promptly issued a circular to all ministries and the governmental authorities of all provinces, autonomous regions and municipalities, as well as the Governments of the Hong Kong and Macao Special Administrative Regions, informing them of this resolution and the circumstances surrounding it, and requesting them conscientiously to implement the provisions of the resolution in accordance with law. To date, no violation of the resolution has come to light.

2. Under the principle of "one country, two systems", China's central Government is responsible for the defence and foreign affairs relating to the Hong Kong and Macao Special Administrative Regions, while those Regions are vested with executive power, legislative power, and independent judicial power, including that of final adjudication. For that reason, the two regions will draw up their own laws and regulations for the thorough implementation of resolution 1803 (2008) after receiving notification from the central Government.

3. We hope that the resolution will be implemented in earnest, while at the same time considering that sanctions are not a goal, but simply a means of getting Iran to rejoin the negotiations. Sanctions and pressure cannot resolve the problem at its root; the general consensus of the international community is that diplomatic negotiation remains the best choice. The sanction provisions of Security Council resolutions 1737 (2006), 1747 (2007) and 1803 (2008) are limited and reversible. If Iran discontinues its uranium enrichment and reprocessing activities and complies with the relevant resolutions of the International Atomic Energy Agency and the Security Council, the Security Council will suspend or even revoke the sanctions. China calls upon all concerned to continue responsibly and constructively to pursue all-round diplomatic efforts to strengthen dialogue and communication, enhance mutual trust and understanding, display full flexibility, resolve mutual concerns, and search creatively for ways to resume negotiations, and to strive for a lasting, comprehensive and appropriate settlement.

On 16 April 2008, China hosted a meeting in Shanghai of political directors-general from the foreign ministries of China, the United States, Russia, Britain, France and Germany. All parties present at the meeting emphasized that they would further carry out the terms of a statement previously issued by the foreign ministers of the six countries, and actively pursue the resolution of the Iranian nuclear issue through diplomatic negotiations. Through in-depth and constructive discussion, the parties reached an important consensus on the plan to restart negotiations and also engaged in a comprehensive exchange of views on the next steps to be taken with regard to the plan. The parties all agreed to maintain close communication and consultations in order to continue their discussions on some unresolved issues concerning the plan. China will continue to play a constructive role in bringing about an appropriate resolution of the Iranian nuclear issue.

United Nations S/AC.50/2008/19

Security Council

Distr.: General
13 May 2008

Original: English

Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 2 May 2008 from the Permanent Mission of Australia to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Australia to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006), and has the honour to refer to the Chairman's note of 27 March 2008 regarding national implementation of United Nations Security Council resolution 1803 (2008).

The Permanent Mission of Australia to the United Nations has the honour to convey Australia's report on steps it has taken to implement Security Council resolution 1803 (see annex).

08-34126 (E) 090608

Annex to the note verbale dated 2 May 2008 from the Permanent Mission of Australia to the United Nations addressed to the Chairman of the Committee

Report to the Committee on the Steps Taken by Australia to Implement Resolution 1803 (2008) of 3 March 2008

Paragraph 13 of resolution 1803 (2008), adopted by the United Nations Security Council on 3 March 2008, "*Calls upon* all States to report to the Committee within 60 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 3, 5, 7, 8, 9, 10 and 11 above". This report outlines the steps taken by Australia to implement these paragraphs.

Paragraph 3 "Calls upon all States to exercise vigilance and restraint regarding the entry into or transit through their territories of individuals who are engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems".

The Australian Government has in place established procedures to screen visa applicants and visa holders for connections to weapons of mass destruction. These procedures are the vehicle by which Australia is implementing paragraph 3. Australia has a universal visa system. Non-citizens are required to have a visa that permits them to travel to and enter Australia (with limited exceptions) and non-citizens must hold visas that permit them to remain in Australia.

Under Australian legislation (the *Migration Regulations 1994*), the Australian Minister for Foreign Affairs is able to make a determination that a visa applicant is a person whose presence in Australia may be directly or indirectly associated with the proliferation of weapons of mass destruction (Public Interest Criteria 4003(b) and 4003A). Where the Minister for Foreign Affairs makes such a determination, the Minister for Immigration and Citizenship would refuse to grant the visa in accordance with section 65 of the *Migration Act 1958*. Should the Minister for Foreign Affairs determine that a visa holder is a person whose presence in Australia may be directly or indirectly associated with the proliferation of weapons of mass destruction (Regulation 2.43(1)), visa cancellation may occur under the *Migration Act 1958*.

Paragraph 3 further "decides in this regard that all States shall notify the Committee established pursuant to paragraph 18 of resolution 1737 (2006) (herein 'the Committee') of the entry into or transit through their territories of the persons designated in the Annex to resolution 1737 (2006), Annex I to resolution 1747 (2007) or Annex I to this resolution, as well as of additional persons designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the items in subparagraphs 3 (b) (i) and (ii) of resolution 1737 (2006)".

The Department of Immigration and Citizenship (DIAC) maintains a Movement Alert List (MAL), which includes the names of non-citizens whose eligibility for a visa grant or continuing eligibility to hold a visa may be in issue. The names of all visa applicants are checked against the MAL prior to any decision to grant a visa to enter Australia.

All individuals designated by the Security Council in the annex to resolution 1737 (2006), annex I to resolution 1747 (2007), and both annex I and II to resolution 1803 (2008) have been placed on the MAL.

The MAL is electronically accessible by DIAC officers posted to Australia's diplomatic and consular missions worldwide. A complete MAL update is sent electronically at least daily to Australia's overseas missions. Additional checks are also undertaken at Australian entry points to ensure that any person listed on the MAL subsequent to a visa grant is identified.

Where there may be a potential match between a visa applicant and an individual listed on the MAL, further enquiries must be made before a visa can be granted, or, if it has already been granted, to consider whether it can or must be cancelled. Led by DIAC, this is a whole-of-government consultative process, which aims to resolve the MAL alert by examining available data on both the applicant and the MAL listed individual. In the event that an individual designated in the annex to resolution 1737 (2006), annex I to resolution 1747 (2007) or annex I to resolution 1803 (2008) is detected to be entering into or transiting through Australia, arrangements will be made by DFAT to notify the Committee.

Paragraph 5 "Decides that all States shall take the necessary measures to prevent the entry into or transit through their territories of individuals designated in Annex II to this resolution as well as of additional persons designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the items in subparagraphs 3 (b) (i) and (ii) of resolution 1737 (2006) and provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory".

In accordance with the *Migration (United Nations Security Council) Regulations 2007* (the Regulations), where a person is subject to a resolution of the United Nations Security Council, the person may be unable to be granted a visa, or may have their visa cancelled. The Minister for Immigration and Citizenship specifies by legislative instrument the relevant resolutions to be covered by the Regulations. This legislative instrument has been revised to incorporate resolution 1803 (2008).

Paragraph 7 "Decides that the measures specified in paragraphs 12, 13, 14 and 15 of resolution 1737 (2006) shall apply also to the persons and entities listed in Annexes I and III to this resolution, and any persons or entities acting on their behalf or at their direction, and to entities owned or controlled by them and to persons and entities determined by the Council or the Committee to have assisted

designated persons or entities in evading sanctions of or in violating the provisions of, this resolution, resolution 1737 (2006) or resolution 1747 (2007)".

Paragraph 7 is implemented in Australia by Regulations 15, 16 and 17 of the *Charter of the United Nations (Sanctions — Iran) Regulations 2008.*

Regulation 15 prohibits making an asset available, directly or indirectly, to, or for the benefit of a designated person or entity, or a person or entity acting on behalf of or at the direction of a designated person or entity, or an entity owned or controlled by a designated person or entity, including through illicit means.

Regulation 16 prohibits a person who holds a controlled asset from using or dealing with the asset, or allowing the asset to be used or dealt with, or facilitating the use of, or the dealing with, the asset. A "controlled asset" is an asset that is owned or controlled by a designated person or entity, or a person or entity acting on behalf of or at the direction of a designated person or entity, or an entity owned or controlled by a designated person or entity, including through illicit means.

For the purposes of the Regulations, "designated person or entity" means a person or entity designated in the Annex to resolution 1737 (2006) or designated by the Committee or by the Security Council for paragraph 12 of resolution 1737 (2006). This has the effect of incorporating by reference all persons and entities described in resolution 1737 (2006), resolution 1747 (2007), resolution 1803 (2008) and in any future decision by the Committee or the Security Council, as being subject to paragraph 12 of resolution 1737 (2006).

Regulation 17 provides that the Minister for Foreign Affairs may, on application, grant a person a permit authorizing the making available of an asset to a person or entity that would otherwise contravene Regulation 15, or a use of, or a dealing with, a controlled asset that would otherwise contravene Regulation 15, in relation to any of the circumstances permitted by, and subject to the conditions set out in, paragraphs 13, 14 and 15 of resolution 1737 (2006).

Regulations 15 and 16 have been specified by the Minister for Foreign Affairs as United Nations sanction enforcement laws. Contravention of a United Nations sanction enforcement law, or a condition of a permit granted under a United Nations sanction enforcement law (such a permit granted under Regulation 17) is an offence under section 27 of the *Charter of the United Nations Act 1945*. The maximum penalties upon conviction for such an offence are, for individuals, 10 years' imprisonment or a fine the greater of 2,500 penalty units or 3 times the value of the transaction (if this can be calculated). For bodies corporate, the offence is an offence of strict liability unless it can prove that it took reasonable precautions, and exercised due diligence, to avoid contravening the law. The maximum penalty for bodies corporate upon conviction is a fine the greater of 10,000 penalty units or 3 times the value of the transaction (if this can be calculated). A penalty unit is equivalent to AUS$110 under section 4AA of the Cth *Crimes Act 1914*.

Paragraph 8 "Decides that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories or by their nationals or using their flag vessels or aircraft to, or for use in or benefit of, Iran, and whether or not originating in their territories, of:

(a) all items, materials, equipment, goods and technology set out in INFCIRC/254/Rev.7/Part 2 of document S/2006/814, except the supply, sale or

transfer, in accordance with the requirements of paragraph 5 of resolution 1737 (2006), of items, materials, equipment, goods and technology set out in sections 1 and 2 of the Annex to that document, and sections 3 to 6 as notified in advance to the Committee, only when for exclusive use in light water reactors, and where such supply, sale or transfer is necessary for technical cooperation provided to Iran by the IAEA or under its auspices as provided for in paragraph 16 of resolution 1737 (2006);

(b) all items, materials, equipment, goods and technology set out in 19.A.3 of Category II of document S/2006/815".

Paragraph 8 is implemented in Australia by Regulations 10 and 11 of the *Charter of the United Nations (Sanctions — Iran) Regulations 2008.*

Regulation 10 prohibits the supply of the following goods to Iran from Australia, or by an Australian, or using an Australian flag vessel or flag aircraft, without a permit issued by the Minister for Foreign Affairs, or validly issued under the law of another country in compliance with its obligations under resolution 1737 (2006): goods mentioned in documents S/2006/814 and S/2006/815; goods that have been determined by the Security Council or the Committee for paragraph 3 (d) of resolution 1737 (2006); goods that have been listed by the Minister for Foreign Affairs by legislative instrument on the basis that he is satisfied that they would, if supplied to Iran, contribute to enrichment-related, reprocessing or heavy water-related activities; or the development of nuclear weapon delivery systems; or the pursuit of activities about which the International Atomic Energy Agency has expressed concern or identified as outstanding.

Regulation 11 only allows the Minister for Foreign Affairs to issue a permit for the following goods, subject to the conditions imposed by resolution 1737 (2006): goods mentioned in B.1 of INFCIRC/254/Rev.8/Part 1 in Security Council document S/2006/814 — provided that the goods are for light water reactors; low-enriched uranium mentioned in A.1.2 of INFCIRC/254/Rev.8/Part 1 in Security Council document S/2006/814 — provided that the low-enriched uranium is incorporated in assembled nuclear fuel elements for light water reactors; goods mentioned in the annex to INFCIRC/254/Rev.7/Part 2 of Security Council document S/2006/814 — provided that the goods are for exclusive use in light water reactors and necessary for technical cooperation provided to Iran by the International Atomic Energy Agency or under the Agency's auspices as mentioned in paragraph 16 of resolution 1737 (2006). The Minister may also grant a permit in situations referred to in, and subject to the conditions imposed by, paragraph 9 of resolution 1737 (2006).

Thus, the Minister for Foreign Affairs may not issue a permit for the supply to Iran of the goods referred to in paragraph 8 of resolution 1803 (2008). Any attempt to do so by an Australian, a person from Australia, or a person using an Australian flag vessel or flag aircraft would contravene Regulation 10.

Regulation 10 has been specified by the Minister for Foreign Affairs as a United Nations sanction enforcement law. Contravention of a United Nations sanction enforcement law, or a condition of a permit granted under a United Nations sanction enforcement law (such a permit granted under Regulation 11) is an offence under section 27 of the *Charter of the United Nations Act 1945*. The maximum penalties upon conviction for such an offence are, for individuals, 10 years'

imprisonment or a fine the greater of 2,500 penalty units or 3 times the value of the transaction (if this can be calculated). For bodies corporate, the offence is an offence of strict liability unless it can prove that it took reasonable precautions, and exercised due diligence, to avoid contravening the law. The maximum penalty for bodies corporate upon conviction is a fine the greater of 10,000 penalty units or 3 times the value of the transaction (if this can be calculated).

Paragraph 9 "Calls upon All States to exercise vigilance in entering into new commitments for public provided financial support for trade with Iran, including the granting of export credits, guarantees or insurance, to their nationals or entities involved in such trade, in order to avoid such financial support contributing to the proliferation sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006)".

The Australian Minister for Trade has issued a direction to the Export Finance Insurance Corporation under the *Export Finance Insurance Corporation Act 1991*, and initiated the development of guidelines for the Australian Trade Commission (Austrade) under the *Export Market Development Grant Act 1997*, to ensure that all decisions related to public provided financial support for trade with Iran take into account the requirements set out in paragraph 9.

Paragraph 10 "Calls upon all States to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in Iran, in particular with Bank Melli and Bank Saderat, and their branches and subsidiaries abroad, in order to avoid such activities contributing to the proliferation sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006)".

The Australian Government collects information about the activities of financial institutions based in Australia in relation to banks domiciled in Iran and their overseas branches and subsidiaries. Upon request, the Australian Federal Police (AFP) will examine a prescribed person or entity for any financial activity in relation to Iran and advise relevant agencies as required. The Australian Transaction Reports and Analysis Centre (AUSTRAC), the country's specialist financial intelligence unit, collects all customer-based international funds transfer instructions and may also receive suspicious reports relating to customers of financial institutions who have dealings with Iran or who are designated under United Nations Security Council sanctions regimes.

AUSTRAC has also issued an information circular (No. 57) to industry drawing attention to Security Council resolution 1803 (2008) and its extension of sanctions against Iran imposed by resolutions 1737 (2006) and 1747 (2007). The circular also refers to Australian law and regulations that give effect to these resolutions (as set out above), as well as the *Weapons of Mass Destruction (Prevention of Proliferation) Act 1995*. The circular reminds financial institutions of the need to be aware that other countries may impose sanctions or expand existing sanctions on Iran autonomously and that such measures may have implications for Australian financial institutions dealing with Iran.

The circular also reminds entities regulated by AUSTRAC to take into account Security Council resolutions and Australian law when considering whether particular transactions should be reported to AUSTRAC as suspicious.

Paragraph 11 "Calls upon all States, in accordance with their national legal authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, to inspect the cargoes to and from Iran, of aircraft and vessels, at their airports and seaports, owned or operated by Iran Air Cargo and Islamic Republic of Iran Shipping Line, provided there are reasonable grounds to believe that the aircraft or vessel is transporting goods prohibited under this resolution or resolution 1737 (2006) or resolution 1747 (2007)".

The Australian Customs Service (Customs) administers the *Customs Act 1901* and the *Customs (Prohibited Exports) Regulations 1958*. This legislation provides for Customs Officers to search vessels, aircraft and inspect cargo within Australian jurisdiction. It also makes a requirement for cargo to be reported to Customs prior to import to and export from Australia. Under this legislation, authority to search vessels, aircraft and cargo does not need to be based upon any reasonable grounds to believe that the aircraft or vessel is transporting prohibited goods. Consequently, Australian law enforcement already has a broad mandate that can incorporate authority to intercept, search and inspect vessels and goods as called for in resolution 1803 (2008). Further to this, specific legislation, namely *Section 233BABAC Customs Act 1901* and *Regulation 13CQ Customs (Prohibited Exports) Regulations 1958* has been enacted to identify special offences for exportation of United Nations-sanctioned goods and exportation of certain goods to Iran.

Customs Integrated Cargo System (ICS) is the electronic system through which all cargo coming to or from Australia is required to be reported. Customs uses ICS to profile, target, identify and interdict cargo that might be prohibited or of risk. Customs can use this system to target and subsequently inspect cargo that might be going to or coming from Iran that might be owned or operated by Iran Air Cargo and Islamic Republic of Iran Shipping Line. Similarly, related vessels or aircraft can be identified and inspected by Customs to meet the terms of resolution 1803 (2008).

Annex to the note verbale dated 30 April 2008 from the Permanent Mission of Switzerland to the United Nations addressed to the Chairman of the Committee

[Original: French]

Report submitted by Switzerland pursuant to Security Council resolution 1803 (2008)

In paragraph 13 of resolution 1803 (2008) of 3 March 2008, the Security Council "calls upon all States to report to the Committee [established pursuant to resolution 1737 (2006)] within 60 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 3, 5, 7, 8, 9, 10 and 11 above". In keeping with this request, Switzerland hereby presents the steps it has taken in implementation of those paragraphs.

As noted in its reports of 23 February 2007 (S/AC.50/2007/40) and 11 June 2007 (S/AC.50/2007/109), Switzerland implements the sanctions envisaged in resolutions 1737 (2006) and 1747 (2007) primarily by means of the ordinance instituting measures against the Islamic Republic of Iran (hereinafter "the ordinance"), which was adopted on 14 February 2007.

On 23 April 2008, the Federal Council (the Swiss Government) amended the ordinance in order to strengthen its coercive measures against Iran in accordance with resolution 1803 (2008).

Paragraph 3

The names of the 13 natural persons listed in annex I to resolution 1803 (2008) have been added to annex 3 to the ordinance. Annex 3 contains the names of the persons whose entry into or transit through Switzerland must be notified to the Committee.

Paragraph 5

The new article 3 (b) of the ordinance states that the entry into Switzerland or transit through Switzerland by the five individuals listed in annex 4 to the ordinance is prohibited. The five people in question are those mentioned in annex II to resolution 1803 (2008).

Paragraph 7

The Federal Council has added to annex 3 to the ordinance the names of the 13 natural persons and 12 entities mentioned in annexes I and III to resolution 1803 (2008) respectively and in doing so has submitted them to the freezing of assets and economic resources provided for in article 2 of the ordinance.

Paragraph 8

Article 1, paragraph 1, of the ordinance states that "the supply, sale and transfer to the Islamic Republic of Iran of the goods, including technology and software, listed in annex 1 are prohibited". One of the amendments made to the ordinance on 23 April 2008 was to include in annex 1 the nuclear-related dual-use

equipment, materials and software listed in circular INFCIRC/254/Rev.7/Part 2, which is contained in document S/2006/814. Complete unmanned aerial vehicle systems having the characteristics described in item 19.A.3. of document S/2006/815 have also been added to annex 1.

Paragraph 9

Switzerland does not offer any public-provided financial support to the Islamic Republic of Iran. Swiss Export Risk Insurance (SERV), for its part, consults the export-control authorities in each case before insuring an export to the Islamic Republic of Iran. Such preliminary checks prevent SERV from unintentionally participating in transactions prohibited by the ordinance.

Paragraph 10

Paragraphs 3 and 4 of article 1 of the ordinance prohibit the provision of financial services, financial resources or investments related to the supply, sale, transfer, manufacture or use of the goods mentioned in annex 1 and of all other goods which are destined or could be destined, in whole or in part, to the activities of the Islamic Republic of Iran in the areas of uranium enrichment, nuclear-fuel reprocessing, heavy water and nuclear-weapon delivery systems development.

In addition, on 20 March 2008 the Swiss authorities, acting in conformity with paragraph 10 of resolution 1803 (2008), called on all financial institutions to exercise vigilance during their transactions with all banks domiciled in Iran, in particular with Bank Melli and Bank Saderat, and their branches and subsidiaries abroad.

Paragraph 11

The Swiss authorities are authorized by law to inspect any Iranian or other aircraft found at a Swiss airport that are in transit to or from the Islamic Republic of Iran and are suspected of transporting goods prohibited under the ordinance.

Lastly, with regard to paragraph 17 of resolution 1803 (2008), Switzerland wishes to inform the Committee that it has added to the ordinance a new article 3 (a) prohibiting the settling of Iranian claims arising from contracts that can no longer be honoured owing to the sanctions imposed.

United Nations S/AC.50/2008/21

Security Council

Distr.: General
13 May 2008

Original: English

Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 2 May 2008 from the Permanent Mission of Jamaica to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Jamaica to the United Nations presents its compliments to the Security Council Committee established under resolution 1737 (2006), and has the honour to refer to Security Council resolution 1803 (2008), adopted on 3 March 2008.

The Permanent Mission hereby forwards Jamaica's report (see annex) in compliance with paragraph 13 of resolution 1803 (2008), which calls on all States to submit a report within 60 days of the adoption of the said resolution, on the steps taken to effectively implement paragraphs 3, 5, 7, 8, 9, 10 and 11 thereof.

08-34096 (E) 030608

Annex to the note verbale dated 2 May 2008 from the Permanent Mission of Jamaica to the United Nations addressed to the Chairman of the Committee

Jamaica's report pursuant to resolution 1803 (2008) to the Security Council Committee established pursuant to resolution 1737 (2006)

1. Paragraph 3

Jamaica recalls the request of the Security Council that States exercise vigilance and restraint in securing their borders to protect against the entry or transit through their territories of persons engaged in, directly associated with or supportive of Iran's proliferation of sensitive nuclear activities for the development of nuclear weapon delivery systems.

Jamaica also recalls its obligation and reaffirms its commitment to notify the Security Council Committee established as aforesaid of the entry or transit through its territory of persons designated by the Security Council or the Committee as being engaged or associated in the aforementioned manner.

2. Paragraph 5

Jamaica recalls its obligations under paragraph 5 of resolution 1803 (2008) to take the necessary measures to prevent the entry into or transit through its territory of designated persons.

Jamaica places great emphasis on the security of its borders and has consequently implemented a number of measures in that regard. One such measure entails subjecting persons entering Jamaica to screening using local, CARICOM, United Nations and INTERPOL watch lists. Similar procedures are applied to applicants for permanent residence and naturalisation.

The continuing efforts to secure its borders include Jamaica's utilization information gained through its membership in international and regional organizations such as INTERPOL and the Caribbean and Latin America Association of Intelligence Police. Jamaica is also engaged in regional security arrangements such as the Joint Regional Intelligence Fusion Centre and the Caribbean Intelligence Sharing Network (CISNET), which facilitate the rapid exchange of information across the Caribbean region. Additionally the Advanced Passenger Information System (APIS), established with the assistance of the US Homeland Security, is also utilized.

3. Paragraph 7

Jamaica recalls the measures specified in paragraphs 12, 13, 14 and 15 of resolution 1737 (2006), which in general deal with the freezing of the funds, other financial assets and economic resources of designated persons or entities. Jamaica understands that the measures specified in the aforementioned paragraphs of resolution 1737 (2006) also apply to persons and entities designated under resolution 1803 (2008).

The Jamaican Constitution requires that a constitutionally workable mechanism be in place in order for an effective freezing regime to exist. Consequently in Jamaica a person must be charged or convicted of an offence for which property restraint processes are allowed before such processes can be implemented or the process must be invoked by the courts, in order to ensure that an individual's constitutional rights are not infringed (section 32 (1) (a) (i) of the Proceeds of Crime Act).

4. Paragraph 8

Jamaica remains resolute in its commitment to its obligations to take the appropriate steps to prevent the direct or indirect supply, sale or transfer from its territory or by its nationals, flag vessels or aircrafts to or for use in or benefit of Iran, the items, materials, equipment, goods and technology mentioned in paragraph 8 of resolution 1803 (2008).

5. Paragraph 9

Jamaica remains mindful of the Security Council's call for all States to exercise vigilance in entering into new commitments for public provided financial support for trade with Iran and is committed thereto.

6. Paragraph 10

Jamaica considers that the highly regulated framework within which its financial institutions operate will allow competent authorities, pursuant to its obligations under paragraph 10 of resolution 1803 (2008), to exercise vigilance over the activities of its financial institutions with banks domiciled in Iran, particularly Bank Melli and Bank Saderat, and their branches and subsidiaries abroad, in order to avoid such activities contributing to the proliferation sensitive nuclear activities, or to the development of nuclear weapon delivery systems.

7. Paragraph 11

Jamaica recalls its obligation, in keeping with its national laws and consistent with international law, to inspect cargoes to and from Iran of aircraft and vessels owned or operated by Iran Air Cargo and Islamic Republic of Iran Shipping Line, provided there exists reasonable grounds to believe that the aircraft or vessel is transporting goods prohibited under resolutions 1737 (2006), 1747 (2007) or 1803 (2008).

Jamaica's legislative and administrative framework as it relates to security at its air and sea ports will allow the country to take the necessary steps as Jamaica seeks to fulfil its aforementioned commitment.

United Nations S/AC.50/2008/22

Security Council

Distr.: General
13 May 2008

Original: English

Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 2 May 2008 from the Permanent Mission of New Zealand to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of New Zealand to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006), and has the honour to submit the report of New Zealand on the implementation of resolution 1803, in accordance with paragraph 13 of that resolution (see annex).

08-34084 (E) 030608

Annex to the note verbale dated 2 May 2008 from the Permanent Mission of New Zealand to the United Nations addressed to the Chairman of the Committee

New Zealand report on the implementation of sanctions imposed by United Nations Security Council resolution 1803 (2008)

Under paragraph 13 of United Nations Security Council resolution 1803 (SCR1803), Member States are called upon to report to the Committee within sixty days of the adoption of the resolution on the steps they have taken with a view to implementing effectively paragraphs 3, 5, 7, 8, 9, 10, and 11.

New Zealand wishes to inform the Council that it is working to implement UNSCR 1803 primarily by way of amendments to the United Nations Sanctions (Iran) Regulations 2007, promulgated under the United Nations Act 1945. The process for amending the Regulations is now under way.

Paragraphs 3 and 5 — travel restrictions

> 3. *Calls upon* all States to exercise vigilance and restraint regarding the entry into or transit through their territories of individuals who are engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, and *decides* in this regard that all States shall notify the Committee established pursuant to paragraph 18 of resolution 1737 (2006) (herein "the Committee") of the entry into or transit through their territories of the persons designated in the Annex to resolution 1737 (2006), Annex I to resolution 1747 (2007) or Annex I to this resolution, as well as of additional persons designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the items in subparagraphs 3 (b) (i) and (ii) of resolution 1737 (2006);

New Zealand is in compliance with this paragraph as, following the adoption of SCR1803, immigration system alerts were put in place against those designated individuals in case any sought to enter or transit New Zealand.

> 5. *Decides* that all States shall take the necessary measures to prevent the entry into or transit through their territories of individuals designated in Annex II to this resolution as well as of additional persons designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the items in subparagraphs 3 (b) (i) and (ii) of

resolution 1737 (2006) and provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory;

The United Nations Sanctions (Iran) Regulations 2007 will be amended to include a travel ban on the individuals listed in annex II of resolution 1803, as well as additional persons designated by the Security Council or the Committee.

Paragraph 7 — asset freeze

7. *Decides* that the measures specified in paragraphs 12, 13, 14 and 15 of resolution 1737 (2006) shall apply also to the persons and entities listed in Annexes I and III to this resolution, and any persons or entities acting on their behalf or at their direction, and to entities owned or controlled by them and to persons and entities determined by the Council or the Committee to have assisted designated persons or entities in evading sanctions of, or in violating the provisions of, this resolution, resolution 1737 (2006) or resolution 1747 (2007);

The United Nations Sanctions (Iran) Regulations 2007 implemented the asset freeze measures from resolutions 1737 and 1747. Regulation 15 prohibits dealings in assets, money, or securities of, or derived from property of, designated persons. Regulation 16 prohibits sending funds to designated persons. The definition of "designated persons" in regulation 3 will be amended to reflect paragraph 7 by including the persons and entities listed in Annexes I and III of resolution 1803.

Paragraph 8 — nuclear and ballistic missile programmes-related embargo

8. *Decides* that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories or by their nationals or using their flag vessels or aircraft to, or for use in or benefit of, Iran, and whether or not originating in their territories, of:

(a) all items, materials, equipment, goods and technology set out in INFCIRC/254/Rev.7/Part 2 of document S/2006/814, except the supply, sale or transfer, in accordance with the requirements of paragraph 5 of resolution 1737 (2006), of items, materials, equipment, goods and technology set out in sections 1 and 2 of the Annex to that document, and sections 3 to 6 as notified in advance to the Committee, only when for exclusive use in light water reactors, and where such supply, sale or transfer is necessary for technical cooperation provided to Iran by the IAEA or under its auspices as provided for in paragraph 16 of resolution 1737 (2006);

(b) all items, materials, equipment, goods and technology set out in 19.A.3 of Category II of document S/2006/815;

Regulations 4 and 5 of the United Nations Sanctions (Iran) Regulations 2007 implement the nuclear and ballistic missile programmes-related embargo imposed by resolutions 1737 and 1747. The regulations will be amended to ensure consistency with paragraphs 8 (a) and 8 (b).

Paragraphs 9 and 10 — financial restrictions

9. *Calls upon* all States to exercise vigilance in entering into new commitments for public provided financial support for trade with Iran,

including the granting of export credits, guarantees or insurance, to their nationals or entities involved in such trade, in order to avoid such financial support contributing to the proliferation sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006);

10. *Calls upon* all States to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in Iran, in particular with all banks domiciled in Iran, in particular with Bank Melli and Bank Saderat, and their branches and subsidiaries abroad, in order to avoid such activities contributing to the proliferation sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006).

New Zealand authorities are vigilant in ensuring that any publicly provided financial support for trade with Iran, such as the granting of export credits, guarantees or insurance, does not contribute to the proliferation sensitive nuclear activities or to the development of nuclear weapon delivery systems.

New Zealand authorities exercise general vigilance over suspicious financial transactions. Under the Financial Transaction Reporting Act 1996 and the Terrorism Suppression Act 2002, banks are required to report suspicious transactions to the New Zealand Police, which may include, in certain limited circumstances, transactions with Iranian entities. As a matter of practice, most of the major New Zealand banks check their customer database daily against the Specially Designated Nationals List of the US Treasury's Office of Foreign Assets Control. This list includes proliferators designated under EO 13382, including Bank Melli and Bank Saderat. Some banks already avoid dealing with counterparties associated with known proliferation countries and report suspicions to the Financial Intelligence Unit of the New Zealand Police.

Paragraph 11 — cargo inspection

11. *Calls upon* all States, in accordance with their national legal authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, to inspect the cargoes to and from Iran, of aircraft and vessels, at their airports and seaports, owned or operated by Iran Air Cargo and Islamic Republic of Iran Shipping Line, provided there are reasonable grounds to believe that the aircraft or vessel is transporting goods prohibited under this resolution or resolution 1737 (2006) or resolution 1747 (2007);

New Zealand authorities are taking necessary measures to prevent the transfer from or through New Zealand territory of prohibited items in accordance with resolutions 1737, 1747 and 1803. This could include, where appropriate, inspection of cargo to and from Iran of aircraft and vessels owned or operated by Iran Air Cargo and the Islamic Republic of Iran Shipping Line in New Zealand seaports and airports, in accordance with relevant domestic and international legal authorities.

New Zealand Ministry of Foreign Affairs and Trade
Wellington
April 2008

United Nations S/AC.50/2008/23

Security Council

Distr.: General
13 May 2008

Original: English

Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 1 May 2008 from the Permanent Mission of Uzbekistan to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Uzbekistan to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006), and has the honour to submit herewith the national report of the Republic of Uzbekistan on the implementation of Security Council resolution 1803 (2008) (see annex).

08-34343 (E) 120608 160608

Annex to the note verbale dated 1 May 2008 from the Permanent Mission of Uzbekistan to the United Nations addressed to the Chairman of the Committee

[Original: Russian]

National report of the Republic of Uzbekistan on the implementation of Security Council resolution 1803 (2008)

This national report was prepared in pursuance of decision No. 06/15-314 of 9 March 2007 of the Cabinet of Ministers designating the State inspection agency Sanoatkontekhnazorat as the focal point for the implementation of the Security Council resolution and for sanctions against Iran, as well as for the preparation of the national reports of the Republic of Uzbekistan.

As regards the use of atomic energy, the Republic of Uzbekistan complies with the rules of international law and is a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), to which it acceded as a non-nuclear country and under which it is working to promote the non-proliferation regime. After joining the International Atomic Energy Agency (IAEA), on 8 October 1994 the Republic of Uzbekistan signed the Agreement between the Republic of Uzbekistan and the International Atomic Energy Agency for the application of safeguards in connection with the NPT.

In order to enhance the system of monitoring and control over activity involving the use of atomic energy, the Republic of Uzbekistan also signed the Protocol Additional to the Safeguards Agreement, under which it grants additional access for international inspections of facilities of interest to IAEA.

The Convention on the Physical Protection of Nuclear Material entered into force for Uzbekistan in 1998, and in January 2004 Uzbekistan signed the Code of Conduct on the Safety and Security of Radioactive Sources. Under the Convention and the Code, Uzbekistan is required to establish a system of physical protection to prevent illegal access to nuclear facilities and materials by unauthorized persons. In this connection, the United States Government has become a sponsor of the programme for the establishment of a system of physical protection at all facilities handling a significant amount of nuclear and radioactive material giving rise to specific concerns.

The appropriate legislative basis exists in the Republic of Uzbekistan for strengthening the system of monitoring and control of exports, imports and transport of various goods, equipment and technology, and allows the Republic of Uzbekistan to fulfil its obligations under Security Council resolution 1803 (2008).

Under the Act on licensing of certain types of activity and Decree No. 111 of 6 March 2004 of the Cabinet of Ministers, entities whose activities involve the use of nuclear and radioactive material are required to be licensed. In addition, article 22 of the Act on radiation security adopted by Decree No. 120-I of 31 August 2000 of the Oliy Majlis of the Republic of Uzbekistan requires licensees to monitor the safety of radioactive material. This is an additional means of monitoring the use, safety and transfer of nuclear and radioactive material.

Counter-terrorism cooperation between the Republic of Uzbekistan and foreign States, their law enforcement agencies and special services, and international organizations is based on the international agreements concluded by the Republic of Uzbekistan.

Responsibility for coordinating the activities of State organs involved in combating terrorism and for ensuring that they work together to prevent, detect and suppress terrorist activity and to minimize its consequences is entrusted to the special services of the Republic of Uzbekistan.

The system of export controls existing in the Republic of Uzbekistan is established in the Act on export controls adopted by Decree No. 659-P of 26 August 2004 of the Oliy Majlis and in Presidential Decree No. UP-1871 of 10 October 1997 on additional measures to stimulate the export of goods (works, services). It ensures the security of the Republic of Uzbekistan and the fulfilment of the Republic's international obligations regarding non-proliferation of weapons of mass destruction and other weapons, by export control methods:

- Establishment of a procedure for the export of items subject to export controls; monitoring of the procedure for the export of items subject to export controls and of their use;
- Internal monitoring; international cooperation in export controls.

The items subject to export controls are goods, equipment, scientific and technical data, work and services, the results of intellectual activity (listed as items subject to export controls), which by virtue of their properties and features may contribute significantly to the creation of weapons of mass destruction (nuclear, chemical and bacteriological, including biological and toxin), their means of delivery (rockets and other technical devices capable of delivering weapons of mass destruction) and other types of weapons and military technology.

The Act of the Republic of Uzbekistan on the transport of special cargoes and military contingents, adopted by Decree No. 213-11 of 11 May 2001 of the Oliy Majlis, governs public arrangements to protect the interests and ensure the safety of the Republic of Uzbekistan during the transport of special cargoes and military contingents.

For the transport of weapons, military technology, military equipment and dangerous cargoes, the applicant must provide insurance and other financial guarantees and assume other obligations to prevent any harm to the lives and health of people, the environment and the security of the Republic of Uzbekistan in case of force majeure or inability to make the delivery as planned.

The airborne transport of special cargoes and military contingents uses established air routes (corridors) in accordance with the Air Traffic Code of the Republic of Uzbekistan, taking into account the special conditions established in the Act.

Provision is also made for the airborne transport of radioactive and fissile material, and flights leaving Tashkent from Tashkent International Airport are subject to radiation monitoring.

The Republic of Uzbekistan is located at the crossroads of strategic routes between Europe, Russia and Asia. Hence the importance of preventing nuclear

smuggling through the Republic. Coverage of all possible locations for movements of contraband is complicated by the existence of almost 200 customs posts and border crossing points. It is naturally difficult to conduct simultaneous radiation monitoring at all points. It was therefore decided to give priority to providing modern radiation monitoring equipment at several of the most important points. These are primarily the border with Kazakhstan, where radioactive material may enter from Russia, and the border with Turkmenistan, where radioactive and fissile material may be transported to countries trying to obtain nuclear weapons, such as Iraq and Iran.

Vehicle radiation monitors have been deployed at the border of Uzbekistan with Kazakhstan (Gisht Kuprik customs complex), allowing 100 percent of all cars to be screened at the entrance to Kazakhstan and the exit from Uzbekistan. Because of the likelihood of radioactive material being transported to Middle East countries, equipment for radiation monitoring of personal vehicles and commercial trucks has also been deployed at the entrance to Turkmenistan (Alat customs complex).

There are 2,313 facilities in the Republic of Uzbekistan using radioactive substances and sources of ionizing radiation.

The staff (professionals) working at these facilities number 5,168.

As part of its surveillance activity, the Sanoatkontechnazorat State inspection agency is working to improve protection measures and the regime for the non-proliferation of nuclear material and other radioactive substances. For example:

Since the Republic of Uzbekistan joined the IAEA Safeguards Agreement, it has done much to improve the accounting for and control of nuclear material at nuclear installations, the latest international experience is being used and a system has been set up for nuclear material accounting and control;

Work has been done to set up a mechanism for export/import control of dual-use materials, products and technology.

With the direct participation of the Sanoatkontechnazorat State inspection agency at all nuclear installations and with financing and technical assistance from donor countries, the physical protection system has been modernized at all nuclear installations to prevent the diversion of nuclear material at reactor installations and enterprises using highly radioactive substances.

As part of the licensing procedure, the Sanoatkontechnazorat State inspection agency and the Ministry of Internal Affairs of the Republic of Uzbekistan perform inspection functions at facilities using nuclear material and sources of ionizing radiation, by conducting comprehensive checks of the status of measures for the physical protection of nuclear material and of the highly active sources of ionizing radiation being used.

The State Customs Committee of the Republic of Uzbekistan has formulated a Protocol with common operational measures to be followed if a portal monitor is activated and there is a radiation alert.

In drafting the Protocol, every effort was made to create a system that uses existing trained staff, with minimal changes in existing work procedures.

In pursuance of the Executive Agreement between the Ministry of Defence of the Republic of Uzbekistan and the United States Department of Defense on

cooperation on border protection under the agreement on cooperation in the elimination of weapons of mass destruction, non-proliferation of weapons of mass destruction and strengthening of defence and military ties, Presidential Decree No. GS-42 of 30 March 2005 was adopted on measures to implement the project on non-proliferation of weapons of mass destruction. In pursuance of this Decree, experts from the company Washington International Inc., working with the State Customs Committee of the Republic of Uzbekistan, deployed radiation portal monitors (RPMs) at 20 traffic border points.

This work to equip 30 customs posts was provisionally divided into three phases. So far two phases of the work have been completed.

To date, in the first (November-December 2005) and second (March-July 2006) phases, the project executing agency, Washington International Inc., has deployed at 20 customs posts 72 units (16 train monitors, 26 vehicle monitors and 30 pedestrian portal monitors) produced by the Aspekt Centre (Dubna, Russia).

During the period of operation of the system of radiation monitoring, four cases of illegal transfer of radioactive material were recorded.

Work has begun on the third phase, in which it is planned to equip 11 customs posts with analog equipment, which will subsequently be included in a single radiation monitoring system. The radiation monitoring project is continuing.

The Ministry of External Economic Ties, Investments and Trade of the Republic of Uzbekistan will be guided by the provisions of Security Council resolution 1803 (2008) on the strengthening of sanctions against the Islamic Republic of Iran and takes the resolution into account when considering export/import contracts for the delivery of specific goods.

The National Bank of the Republic of Uzbekistan currently conducts transactions with an affiliate of the Bank Saderat in Tashkent on the money market to attract and invest funds in accordance with the National Bank's internal regulations. As at 25 March 2008, the National Bank system has no accounts opened for persons or entities listed in the annexes to the resolution.

The Republic of Uzbekistan is taking the necessary measures to implement the paragraphs of Security Council resolution 1803 (2008) concerning the maintenance of international peace and security. The competent ministries of the Republic of Uzbekistan have been informed of the requests made in this resolution and have adopted the necessary measures to comply with them.

United Nations S/AC.50/2008/24

Security Council

Distr.: General
13 May 2008

Original: English

Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 2 May 2008 from the Permanent Mission of Japan to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Japan to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006), and has the honour to transmit the annexed report pursuant to paragraph 13 of resolution 1803 (2008) on the steps taken by the Government of Japan with a view to implementing the relevant provisions of the above-mentioned resolution (see annex).

08-34264 (E) 110608

Annex to the note verbale dated 2 May 2008 from the Permanent Mission of Japan to the United Nations addressed to the Chairman of the Committee

JAPAN

Report to the United Nations Security Council Committee established pursuant to paragraph 18 of United Nations Security Council Resolution 1737 (2006) (hereinafter "the Committee") with regard to the implementation of paragraphs 3, 5, 7, 8, 9, 10, 11 and 12 of United Nations Security Council Resolution 1803 (2008) (hereinafter "the Resolution").

The Government of Japan (hereinafter "the Government") has taken the following measures with a view to stringently implementing the relevant paragraphs of the Resolution.

1. Announcement by the Government on April 22, 2008

Based on the Resolution and the Cabinet approval of April 22, 2008, the Government announced that it would invoke "Measures based on the Foreign Exchange and Foreign Trade Act (Act No. 228 of 1948) (hereinafter "Foreign Exchange Act") to Freeze the Assets of Persons and Entities Related to Iran's Proliferation Sensitive Nuclear and Other Activities" in accordance with Foreign Exchange Act, to implement paragraph 7 of the Resolution.

In addition to the aforementioned paragraph, the Government announced that it would reinforce the implementation of the measures with regard to paragraphs 3, 5, 8, 9, 10, 11 and 12 of the Resolution, according to the relevant national legislation and system in force.

2. The measures taken by the Government

2-1 Paragraph 3

The Government has already taken, in accordance with the Law for the Establishment of the Ministry of Foreign Affairs and the Immigration Control and Refugee Recognition Act (hereinafter "Immigration Control Act"), necessary measures to exercise vigilance and restraint regarding the entry into or transit through its territory of individuals who are engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems (hereinafter "Iran's nuclear and other activities"), and to notify the Committee of the entry into or transit through its territory of the 13 persons designated in Annex I to the Resolution, in addition to the 27 persons designated in the annexes to Resolutions 1737 (2006) and 1747 (2007).

Under these measures, the Ministry of Foreign Affairs, in accordance with the Law for the Establishment of the Ministry of Foreign Affairs, exercises strict vigilance in examination of entry/transit visas for the entry into or transit through the Japanese territory of individuals who are engaged in, directly associated with or providing support for Iran's nuclear and other activities, including those designated in Annex I to the Resolution as well as the annexes to Resolutions 1737 (2006) and 1747 (2007). The Ministry of Justice, in accordance with the Immigration Control Act, also exercises strict vigilance over the aforementioned individuals in landing examinations and examinations of applications for certificates of eligibility to reside in Japan.

The Government will notify, without delay, the Committee of the entry into or transit through its territory of the 40 persons designated in the annexes to the Resolution and Resolutions 1737 (2006) and 1747 (2007), as

well as other persons, if any, who will be additionally designated by the Security Council or the Committee.

2-2 Paragraph 5

The Government has already taken, in accordance with the Law for the Establishment of the Ministry of Foreign Affairs and the Immigration Control Act, necessary measures to prevent the entry into or transit through its territory of 5 individuals designated in Annex II to the Resolution as being engaged in, directly associated with or providing support for Iran's nuclear and other activities.

Under these measures, the Ministry of Foreign Affairs, in accordance with the Law for the Establishment of the Ministry of Foreign Affairs, exercises strict vigilance in examination of entry/transit visas for the entry into or transit through the Japanese territory of those 5 designated individuals in Annex II to the Resolution. The Ministry of Justice, in accordance with the Immigration Control Act, deports the 5 designated individuals in Annex II to the Resolution from Japan, besides exceptions which the Committee determines, as stipulated in paragraph 6 of the Resolution. In light of the Resolution, entry/transit permission will not be granted for those 5 individuals as well as other persons, if any, who will be additionally designated by the Security Council or the Committee, with exceptions mentioned above.

2-3 Paragraph 7

The Government has already taken, in accordance with the Foreign Exchange Act and the Cabinet approval, necessary measures to freeze the funds, other financial assets and economic resources, which are within the Japanese territory and owned or controlled by the 13 persons and 12

entities designated in Annexes I and III to the Resolution, in addition to the 27 persons and 23 entities designated in the annexes to Resolutions 1737 (2006) and 1747 (2007) as being engaged in, directly associated with or providing support for Iran's nuclear and other activities, and to ensure that any funds, financial assets or economic resources are prevented from being made available by any persons or entities within Japanese territory, to or for the benefit of these persons and entities.

Under these measures, payments to or by, and capital transactions with those designated in Annexes I and III to the Resolution, as well as the 27 persons and 23 entities designated in the annexes to Resolutions 1737 (2006) and 1747 (2007), are subject to licensing by the Minister for Finance or the Minister for Economy, Trade and Industry. In light of the Resolution, licenses will not be granted for these payments and capital transactions, except for those stipulated in paragraphs 13, 14 and 15 of Resolution 1737 (2006).

The Government will take necessary measures to freeze the funds, other financial assets and economic resources of other persons or entities, if any, who will be additionally designated by the Security Council or the Committee.

2-4 Paragraph 8

The Government has already taken, in accordance with the Foreign Exchange Act and regulations established under the said Act such as the Export Trade Control Order (Cabinet Order No. 378 of 1949) (for goods) and the Foreign Exchange Order (Cabinet Order No. 260 of 1980) (for technologies), necessary measures to prevent the supply, sale or transfer of all items, materials, equipment, goods and technology as specified in (a) and (b) of this paragraph.

Under these measures, exportation to Iran of all items, materials, equipment, goods and technology specified in (a) and (b) of paragraph 8 of the Resolution continues to be subject to licensing by the Minister for Economy, Trade and Industry. In light of the Resolution, licenses will not be granted for exportation to Iran of the aforementioned items, materials, equipment, goods and technology, except for those stipulated in (a) of this paragraph.

2-5 Paragraph 9

Japan has already exercised vigilance and taken a very restrictive policy, with regard to public provided financial support for trade with Iran, including the granting of export credits, guarantees or insurance to Japanese nationals or entities. No new contract has been made for extending Export Loans to Iran by Japan Bank for International Cooperation (JBIC) since April 2006, and no new long-term Trade Insurance has been provided to Iran by Nippon Export and Investment Insurance (NEXI) since June 2006.

Furthermore, the Ministry of Finance and the Ministry of Economy, Trade and Industry have already informed JBIC and NEXI of the requirements under the Resolution and advised them respectively to take those requirements into consideration.

2-6 Paragraph 10

While Japanese financial institutions remain vigilant over the transactions that could relate to Iran's nuclear and other activities, in accordance with Resolutions 1737 (2006) and 1747 (2007), the Government has advised financial institutions in the Japanese territory to exercise vigilance over the activities with all banks domiciled in Iran, in

particular with Bank Melli and Bank Saderat, and their branches and subsidiaries abroad, and to thoroughly perform the duties of customer identification and suspicious transaction report based on the Act on Prevention of Transfer of Criminal Proceeds.

2-7 Paragraph 11 and 12

The Government has already taken necessary measures, in accordance with Japanese legislation and consistent with international law, to inspect the cargoes to and from Iran, of aircraft and vessels, at Japanese airports and seaports, owned or operated by Iran Air Cargo and Islamic Republic of Iran Shipping Line (IRISL), provided there are reasonable grounds to believe that the aircraft or vessel is transporting goods prohibited under either the Resolution, Resolution 1737 (2006) or Resolution 1747 (2007).

The Government, in cases when inspection mentioned in the paragraph above is undertaken, will submit a written report to the Security Council within five working days.